



Senate

General Assembly

File No. 172

January Session, 2009

Substitute Senate Bill No. 978

Senate, March 25, 2009

The Committee on Labor and Public Employees reported through SEN. PRAGUE of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT REQUIRING OCCUPATIONAL LICENSING FOR CERTAIN STATE EMPLOYEES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-340 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2009*):

3 The provisions of this chapter shall not apply to: (1) Persons
4 employed by any federal [, state] or municipal agency; (2) persons
5 employed by the state, other than plumbers and electricians hired by
6 the state on or after July 1, 2009; (3) employees of any public service
7 company regulated by the Department of Public Utility Control or of
8 any corporate affiliate of any such company when the work performed
9 by such affiliate is on behalf of a public service company, but in either
10 case only if the work performed is in connection with the rendition of
11 public utility service, including the installation or maintenance of wire
12 for community antenna television service, or is in connection with the
13 installation or maintenance of wire or telephone sets for single-line

14 telephone service located inside the premises of a consumer; [(3)] (4)
15 employees of any municipal corporation specially chartered by this
16 state; [(4)] (5) employees of any contractor while such contractor is
17 performing electrical-line or emergency work for any public service
18 company; [(5)] (6) persons engaged in the installation, maintenance,
19 repair and service of electrical or other appliances of a size customarily
20 used for domestic use where such installation commences at an outlet
21 receptacle or connection previously installed by persons licensed to do
22 the same and maintenance, repair and service is confined to the
23 appliance itself and its internal operation; [(6)] (7) employees of
24 industrial firms whose main duties concern the maintenance of the
25 electrical work, plumbing and piping work, solar thermal work,
26 heating, piping, cooling work, sheet metal work, elevator installation,
27 repair and maintenance work, automotive glass work or flat glass
28 work of such firm on its own premises or on premises leased by it for
29 its own use; [(7)] (8) employees of industrial firms when such
30 employees' main duties concern the fabrication of glass products or
31 electrical, plumbing and piping, fire protection sprinkler systems,
32 solar, heating, piping, cooling, chemical piping, sheet metal or elevator
33 installation, repair and maintenance equipment used in the production
34 of goods sold by industrial firms, except for products, electrical,
35 plumbing and piping systems and repair and maintenance equipment
36 used directly in the production of a product for human consumption;
37 [(8)] (9) persons performing work necessary to the manufacture or
38 repair of any apparatus, appliances, fixtures, equipment or devices
39 produced by it for sale or lease; [(9)] (10) employees of stage and
40 theatrical companies performing the operation, installation and
41 maintenance of electrical equipment if such installation commences at
42 an outlet receptacle or connection previously installed by persons
43 licensed to make such installation; [(10)] (11) employees of carnivals,
44 circuses or similar transient amusement shows who install electrical
45 work, provided such installation shall be subject to the approval of the
46 State Fire Marshal prior to use as otherwise provided by law and shall
47 comply with applicable municipal ordinances and regulations; [(11)]
48 (12) persons engaged in the installation, maintenance, repair and

49 service of glass or electrical, plumbing, fire protection sprinkler
50 systems, solar, heating, piping, cooling and sheet metal equipment in
51 and about single-family residences owned and occupied or to be
52 occupied by such persons; provided any such installation,
53 maintenance and repair shall be subject to inspection and approval by
54 the building official of the municipality in which such residence is
55 located and shall conform to the requirements of the State Building
56 Code; [(12)] (13) persons who install, maintain or repair glass in a
57 motor vehicle owned or leased by such persons; [(13)] (14) persons or
58 entities holding themselves out to be retail sellers of glass products,
59 but not such persons or entities that also engage in automotive glass
60 work or flat glass work; [(14)] (15) persons who install preglazed or
61 preassembled windows or doors in residential or commercial
62 buildings; [(15)] (16) persons registered under chapter 400 who install
63 safety-backed mirror products or repair or replace flat glass in sizes
64 not greater than thirty square feet in residential buildings; [(16)] (17)
65 sheet metal work performed in residential buildings consisting of six
66 units or less by new home construction contractors registered pursuant
67 to chapter 399a, by home improvement contractors registered pursuant
68 to chapter 400 or by persons licensed pursuant to this chapter, when
69 such work is limited to exhaust systems installed for hoods and fans in
70 kitchens and baths, clothes dryer exhaust systems, radon vent systems,
71 fireplaces, fireplace flues, masonry chimneys or prefabricated metal
72 chimneys rated by the Underwriter's Laboratory or installation of
73 stand-alone appliances including wood, pellet or other stand-alone
74 stoves that are installed in residential buildings by such contractors or
75 persons; [(17)] (18) employees of or any contractor employed by and
76 under the direction of a properly licensed solar contractor, performing
77 work limited to the hoisting, placement and anchoring of solar
78 collectors, photovoltaic panels, towers or turbines; and [(18)] (19)
79 persons performing swimming pool maintenance and repair work
80 authorized pursuant to section 20-417aa.

81 Sec. 2. Section 20-330 of the general statutes is repealed and the
82 following is substituted in lieu thereof (*Effective from passage*):

83 As used in this chapter:

84 (1) "Contractor" means any person regularly offering to the general
85 public services of such person or such person's employees in the field
86 of electrical work, plumbing and piping work, solar work, heating,
87 piping, cooling and sheet metal work, fire protection sprinkler systems
88 work, elevator installation, repair and maintenance work, irrigation
89 work, automotive glass work or flat glass work, as defined in this
90 section;

91 (2) "Electrical work" means the installation, erection, maintenance,
92 alteration or repair of any wire, cable, conduit, busway, raceway,
93 support, insulator, conductor, appliance, apparatus, fixture or
94 equipment that generates, transforms, transmits or uses electrical
95 energy for light, heat, power or other purposes, but does not include
96 low voltage wiring, not exceeding twenty-four volts, used within a
97 lawn sprinkler system;

98 (3) "Plumbing and piping work" means the installation, repair,
99 replacement, alteration or maintenance of gas, water and associated
100 fixtures, tubing and piping mains and branch lines up to and including
101 the closest valve to a machine or equipment used in the production
102 process, laboratory equipment, sanitary equipment, other than
103 subsurface sewage disposal systems, fire prevention apparatus, all
104 water systems for human usage, sewage treatment facilities and all
105 associated fittings within a building and includes lateral storm and
106 sanitary lines from buildings to the mains, process piping, swimming
107 pools and pumping equipment, and includes making connections to
108 back flow prevention devices, and includes low voltage wiring, not
109 exceeding twenty-four volts, used within a lawn sprinkler system, but
110 does not include (A) solar work, except for the repair of those portions
111 of a solar hot water heating system that include the basic domestic hot
112 water tank and the tie-in to the potable water system, (B) the
113 installation, repair, replacement, alteration or maintenance of fire
114 prevention apparatus within a structure, except for standpipes that are
115 not connected to sprinkler systems, [and] (C) medical gas and vacuum

116 systems work, and (D) millwright work involved in the tubing and
117 piping mains and branch lines up to and including the closest valve to
118 a machine or equipment used in the production process. For the
119 purposes of this subdivision, "process piping" means piping or tubing
120 that conveys liquid or gas that is used directly in the production of a
121 chemical or a product for human consumption;

122 (4) "Solar thermal work" means the installation, erection, repair,
123 replacement, alteration, or maintenance of active, passive and hybrid
124 solar systems that directly convert ambient energy into heat or convey,
125 store or distribute such ambient energy;

126 (5) "Heating, piping and cooling work" means (A) the installation,
127 repair, replacement, maintenance or alteration of any apparatus for
128 piping, appliances, devices or accessories for heating systems,
129 including sheet metal work, (B) the installation, repair, replacement,
130 maintenance or alteration of air conditioning and refrigeration
131 systems, boilers, including apparatus and piping for the generation or
132 conveyance of steam and associated pumping equipment and process
133 piping and the installation of tubing and piping mains and branch
134 lines up to and including the closest valve to a machine or equipment
135 used in the production process, but not including millwright work,
136 and (C) on-site operation, by manipulating, adjusting or controlling,
137 with sufficient technical knowledge, as determined by the
138 commissioner, (i) heating systems with a steam or water boiler
139 maximum operating pressure of fifteen pounds per square inch gauge
140 or greater, or (ii) air conditioning or refrigeration systems with an
141 aggregate of more than fifty horsepower or kilowatt equivalency of
142 fifty horsepower or of two hundred pounds of refrigerant. Heating,
143 piping and cooling work does not include solar work or medical gas
144 and vacuum systems work or the passive monitoring of heating, air
145 conditioning or refrigeration systems. For the purposes of this
146 subdivision, "process piping" means piping or tubing that conveys
147 liquid or gas that is used directly in the production of a chemical or a
148 product for human consumption;

149 (6) "Apprentice" means any person registered with the Labor
150 Department for the purpose of learning a skilled trade;

151 (7) "Elevator installation, repair and maintenance work" means the
152 installation, erection, maintenance and repair of all types of elevators,
153 dumb waiters, escalators, and moving walks and all mechanical
154 equipment, fittings, associated piping and wiring from a source of
155 supply brought to the equipment room by an unlimited electrical
156 contractor for all types of machines used to hoist or convey persons or
157 materials, but does not include temporary hoisting machines used for
158 hoisting materials in connection with any construction job or project;

159 (8) "Elevator maintenance" means the lubrication, inspection and
160 replacement of controls, hoistway and car parts;

161 (9) "Fire protection sprinkler systems work" means the layout, on-
162 site fabrication, installation, alteration, maintenance or repair of any
163 automatic or manual sprinkler system designed for the protection of
164 the interior or exterior of a building or structure from fire, or any
165 piping or tubing and appurtenances and equipment pertaining to such
166 system including overhead and underground water mains, fire
167 hydrants and hydrant mains, standpipes and hose connections to
168 sprinkler systems, sprinkler tank heaters excluding electrical wiring,
169 air lines and thermal systems used in connection with sprinkler and
170 alarm systems connected thereto, foam extinguishing systems or
171 special hazard systems including water spray, foam, carbon dioxide or
172 dry chemical systems, halon and other liquid or gas fire suppression
173 systems, but does not include (A) any engineering design work
174 connected with the layout of fire protection sprinkler systems, or (B)
175 any work performed by employees of or contractors hired by a public
176 water system, as defined in subsection (a) of section 25-33d;

177 (10) "State Fire Marshal" means the State Fire Marshal or any
178 member of the Division of State Police to whom the Commissioner of
179 Public Safety has delegated powers under section 29-291;

180 (11) "Journeyman sprinkler fitter" means a specialized pipe fitter

181 craftsman, experienced and skilled in the installation, alteration,
182 maintenance and repair of fire protection sprinkler systems;

183 (12) "Irrigation work" means making the connections to back flow
184 prevention devices, and low voltage wiring, not exceeding twenty-four
185 volts, used within a lawn sprinkler system;

186 (13) "Sheet metal work" means the installation, erection,
187 replacement, repair or alteration of duct work systems, both ferrous
188 and nonferrous;

189 (14) "Journeyman sheet metal worker" means an experienced
190 craftsman skilled in the installation, erection, replacement, repair or
191 alteration of duct work systems, both ferrous and nonferrous;

192 (15) "Automotive glass work" means installing, maintaining or
193 repairing fixed glass in motor vehicles;

194 (16) "Flat glass work" means installing, maintaining or repairing
195 glass in residential or commercial structures;

196 (17) "Medical gas and vacuum systems work" means the work and
197 practice, materials, instrumentation and fixtures used in the
198 construction, installation, alteration, extension, removal, repair,
199 maintenance or renovation of gas and vacuum systems and equipment
200 used solely to transport gases for medical purposes and to remove
201 liquids, air-gases or solids from such systems;

202 (18) "Solar electricity work" means the installation, erection, repair,
203 replacement, alteration, or maintenance of photovoltaic or wind
204 generation equipment used to distribute or store ambient energy for
205 heat, light, power or other purposes to a point immediately inside any
206 structure or adjacent to an end use;

207 (19) "Active solar system" means a system that uses an external
208 source of energy to power a motor-driven fan or pump to force the
209 circulation of a fluid through solar heat collectors and which removes
210 the sun's heat from the collectors and transports such heat to a location

211 where it may be used or stored;

212 (20) "Passive solar system" means a system that is capable of
213 collecting or storing the sun's energy as heat without the use of a
214 motor-driven fan or pump;

215 (21) "Hybrid solar system" means a system that contains
216 components of both an active solar system and a passive solar system;
217 [and]

218 (22) "Gas hearth product work" means the installation, service or
219 repair of a propane or natural gas fired fireplace, fireplace insert, stove
220 or log set and associated venting and piping that simulates a flame of a
221 solid fuel fire. "Gas hearth product work" does not include (A) fuel
222 piping work, (B) the servicing of fuel piping, or (C) work associated
223 with pressure regulating devices, except for appliances gas valves; and

224 (23) "Millwright work" means the maintenance or construction of
225 industrial machinery used in the production process.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	20-340
Sec. 2	<i>from passage</i>	20-330

LAB *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
Consumer Protection, Dept.	GF - Revenue Gain	Significant	Significant

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill results in a significant revenue gain to the state as it requires plumbers and electricians hired by the state on or after July 1, 2009 to be fully licensed by the Department of Consumer Protection (DCP). The actual revenue gain is dependent upon the number of such personnel hired.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 978*****AN ACT REQUIRING OCCUPATIONAL LICENSING FOR CERTAIN STATE EMPLOYEES.*****SUMMARY:**

This bill requires plumbers and electricians hired by the state on or after July 1, 2009 to be fully licensed by the Department of Consumer Protection (DCP). Current law exempts plumbers and electricians hired by any federal, state, or municipal agency from meeting the occupational licensing requirements established for plumbers and electricians selling their services to the general public.

The bill also requires people who:

1. install, repair, replace, alter, or maintain gas or water tubing and piping mains and branch lines up to and including the closest valve to a machine or equipment used in a production process to be licensed as plumbing and piping workers and
2. install air conditioning and refrigeration tubing and piping mains and branch lines up to and including the closest valve to a machine or equipment used in a production process to be licensed as heating, piping, and cooling workers.

The bill exempts from the new requirement millwrights who perform this type of work. Under the bill, "millwright work" means the maintenance or construction of industrial machinery used in the production process.

EFFECTIVE DATE: July 1, 2009

BACKGROUND***Licensing Examining Boards***

State law creates an Examining Board for Plumbing and Piping Work and an Examining Board for Heating, Piping, Cooling, and Sheet Metal Work. As with other occupational licensing boards in DCP, these boards set occupational standards to establish contractor and journeyman licenses, work with DCP to hold licensing exams, hold disciplinary hearings as needed, and conducts other related activities.

Relationship Between DCP and its Boards

State law establishes a uniform system for DCP and its boards, which have the power to determine who qualifies for a license and to enforce standards by disciplining licensees. The law establishes DCP's duties to the boards, which include receiving complaints, carrying out investigations, and performing administrative tasks, such as physically issuing licenses and renewals.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 11 Nay 0 (03/10/2009)